

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN A. WARD,	§
	§ No. 457, 2011
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 85006215DI
Plaintiff Below-	§
Appellee.	§

Submitted: September 7, 2011

Decided: October 11, 2011

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices

ORDER

This 11th day of October 2011, after careful consideration of the parties' arguments on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's July 26, 2011 order adopting the Commissioner's report dated March 14, 2011. The Superior Court did not err in concluding that appellant's motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice